

**Patrick K. McDonnell [ProSe]**

20 Rawson Place  
Staten Island, New York 10314  
Telephone: (718) 524-6312  
Email: [cdm@gmx.us](mailto:cdm@gmx.us)

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**BY ECF**

The Honorable Jack B. Weinstein  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
E. Brooklyn, New York 11201

**Re: *Commodity Futures Trading Commission v. Patrick K. McDonnell and CabbageTech, Corp. d/b/a Coin Drop Markets*, No. 18-CV-00361 (JBW)(RLM)**

Dear Judge Weinstein:

I am a ProSe litigant in the above captioned matter writing regarding Defendant Motion To Dismiss denied by the Court [Docket #99]. Defendant respectfully moves the Court to revisit this motion as the facts are clearly written regarding the CFTC's lack of enforcement jurisdiction over alleged Defendant "type" transactions. The Court has allowed Monex legal to present their Amicus brief and help clarify the "true" **definition** of alleged Defendant transactions. ***However, Defendant motion was denied without a clear discussion of the CFTC's "legal" definition of alleged Defendant transactions.*** A *clear* and *concise* reading of CEA law is needed and Defendant has a legal advocate prepared to do so. Defendant has struggled with obtaining legal representation to defend and asks the Court allow a revisit of motion.

Id. ***"What happens when the lines are blurred, and it is unclear whether a given transaction is a "physical" or "spot" commodity transaction (where the commodity is actually transferred between two counterparties), versus a more highly-regulated "non-deliverable" derivative, in which the transaction is settled in cash based on the change in the value of the reference commodity over time? This is the question that the CFTC's proposed rule purports to answer, at least in part, with respect to certain virtual currency transactions."*** [Quoting at BLOCKCHAIN + THE LAW para 3]

Defendant truly appreciates any consideration of the Court in this request.

August 01, 2018

Respectfully Submitted,  
/s/ Patrick K. McDonnell [ProSe]  
Patrick K. McDonnell





